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NOT FOR SERVICE OF LITIGATION PAPERS

November 15, 2019

**BY ECF**

Honorable Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Suite 1950  
New York, New York 10007

**MEMO ENDORSED**

Re: City of Almaty, Kazakhstan, et ano. v. Felix Sater, et al.,  
Case No. 19 Civ. 2645 (AJN) (KHP)

Dear Judge Parker:

We represent Defendants Felix Sater ("Sater"), Bayrock Group, Inc., Global Habitat Solutions, Inc., Daniel Ridloff and RRMI-DR LLC (collectively, the "Sater Defendants") and write on behalf of all parties in advance of the conference scheduled for Monday afternoon, November 18, 2019 at 2:15 PM.

While the parties are of course prepared to appear as scheduled, we do not believe it is necessary to take the Court's time on Monday. As the Court may recall, Sater's motion for a stay pending arbitration has been fully submitted to the Court. Also, following the filing of Defendants' motion to dismiss the amended complaint, earlier this week Plaintiffs' filed their opposition and Defendants' have until December 3, 2019 to file their reply. In the meanwhile, the parties are proceeding with discovery, and one non-party deposition is scheduled for December 18, 2019. Next week, the parties intend to meet and confer regarding Hague requests and overseas witnesses. The parties are in agreement that there are no issues that are ripe for the Court's attention at this time. Accordingly, the parties respectfully request that the Court adjourn Monday's conference, unless the Court believes it would be helpful for the parties to appear in person (or telephonically).

We thank Your Honor for her consideration.

Respectfully submitted,

/s/ Jill Levi

Jill Levi

*Application Denied. The Motion to Stay is refused to the undersigned. The parties are requested to be prepared to address the motion to stay and the theories of agency, third-party beneficiary and estoppel at the conference. 11-15-18*

*Katharine H Parker  
U.S. Magistrate Judge*